

Short title: Execution Sale/Notice to Judgment Debtor

A BILL TO BE ENTITLED

AN ACT TO UPDATE THE MAILING METHOD OF NOTICE TO A JUDGMENT DEBTOR  
OF AN EXECUTION SALE OF REAL PROPERTY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 1-339.54 reads as rewritten:

**"§ 1-339.54. Notice to judgment debtor of sale of real property.**

In addition to complying with G.S. 1-339.52, relating to posting and publishing the notice of sale, the sheriff shall, at least ten days before the sale of real property, do the following:

(1) If the judgment debtor is found in the county, serve a copy of the notice of sale on him personally, or the judgment debtor personally.

(2) If the judgment debtor is not found in the county, do all of the following:

a. Send a copy of the notice of sale by registered mail or certified mail, return receipt requested, to the judgment debtor at his-the judgment debtor's last address known to the sheriff, and sheriff.

b. Serve a copy of the notice of sale on the judgment debtor's agent, if there is in the county a person known to the sheriff to be an agent who has custody or management of, or who exercises control over, any property in the county belonging to the judgment debtor."

*[Staff Note: G.S. 1A-1, Rule 4, uses the phrase "registered or certified mail, return receipt requested," in several places.]*

**SECTION 2.** This act becomes effective [October 1, 2019], and applies to executions issued on or after that date.